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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,103	03/04/2002	Joshua Z. Beadle	47018/253171	5901
23370	7590	12/24/2003	EXAMINER	
JOHN S. PRATT, ESQ KILPATRICK STOCKTON, LLP 1100 PEACHTREE STREET SUITE 2800 ATLANTA, GA 30309			SAWHNEY, HARGOBIND S	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/091,103	BEADLE, JOSHUA Z.	
	Examiner	Art Unit	
	Hargobind S Sawhney	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. The amendment filed on June 9, 2003 has been entered. Accordingly:
 - Claims 1,2,6, 9, 10, 18 and 20 have been amended; and
 - New claims 21-25 have been added.

Allowable Subject Matter

2. The indicated allowability of claims 9, 10, 15 and 20 is withdrawn in view of the newly discovered reference(s) to Benjamin (US Patent No. 1,880,399), Forrest (US Patent No. 4,464,707) and Skegin (US Patent No. 5,154,628). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 7, 11, 12 and 16-18, are rejected under 35 U.S.C. 102(b) as being anticipated by Benjamin (US Patent No. 1,880,399).

Regarding claims 1, 7, 11, 12 and 16-18, Benjamin ('399) discloses a light fixture (Figure 1) comprising:

- a cowl 1 (Figure 1, page 2, lines 34 and 35) including an open end, a closed end and substantially continuous inner surface forming a cavity (Figure 1);
- a socket 5 (Figure 1, page 2, lines 56 and 57) positioned within the cavity, and being coupled to the inner surface of the closed end of the cowl 1;
- the socket 5 receiving a base of a lamp X ((Figure 1);
- a collar 18 (Figure 1, page 2, line 76) – a combination of elements 18 and 22 hereafter referred to as collar 18- coupled to the cowl 1, and completely positioned within the cavity formed by the cowl 1 (Figure 1);
- the collar 18 further including an internal surface, an external surface and an inner aperture receiving the base of the lamp X (Figure 1, page 2, line 76);
- the collar 18 further having its perimeter following the inner surface of the cowl 1 (Figure 1, page 2, lines 77-79), and substantially sealing the closed end of the cavity (Figure 1);
- the lamp X coupled to the socket 5, and additionally including a base and a contact (not shown) positioned within the socket 5;
- a stem 35 (Figure 1, page 3, lines 10-16) coupled to, and supporting the cowl 1 at its closed end, and keeping the open end of the cowl 1 facable downward (Figure 1);

- the cowl 1 comprising a crown portion – the combination of cylindrical upper portion and the middle portion- and a skirt portion – lower portion- with a generally conical cross-section, a first open end and a second open end - the lower end - (Figure 1);
 - the second open end of the crown portion being larger in diameter than that of the first open end (Figure 1);
 - the crown further comprising a generally cylindrical cross-section, an open end and the closed end integrally attached the skirt portion- the lower end- (Figure 1);
 - a head fitting 33 (Figure 1) coupled to the cowl 1 and attaching the side surface of cowl 1 to the stem 35 (Figure 1, page 2, lines 10-16);
 - the collar 18 being sealed to the inner surface of the cowl 1 (Figure 1, page 2, lines 95-101 and 114-116); and
 - a stem 35 (Figure 1, page 3, lines 10-16) coupled to the side surface of the cowl 1(Figure 1).
5. Claims 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Benjamin (US Patent No. 1,880,399).

Regarding claims 21 and 22, Benjamin ('399) discloses a light fixture (Figure 1) comprising:

- a mounting stem 35 (Figure 1, page 3, lines 10-16);

- a cowl 1 (Figure 1, page 2, lines 34 and 35) including a flare portion- the lower portion - and an upper portion (Figure 1, page 2, lines 34 and 35) coupled to the stem 35 (Figure 1);
- the cowl 1 further having substantially continuous inner surface (Figure 1);
- the lamp X coupled to a socket 5, and additionally including a base - a contact- (not shown) positioned within the socket 5 (Figure 1);
- a collar 18 closely fitting the upper portion of the cowl – the combination of element 18 and 22- and defining a substantially sealed cavity (Figure 1);
and
- the lower portion 22 of the collar – the combination of elements 18 and 22 – being coated with a reflective material (Figure 1, page 2, line 89).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benjamin (US Patent No. 1,880,399) in view of Burdick (US Patent No. 1,430,354).

Regarding claims 2, 5 and 6, Benjamin ('399) discloses a light fixture (Figure 10 including a collar 18 having reflective coating (Figure 1, page 2, line 88). However, Benjamin ('399) does not teach the coating on the collar surface being corrosion resistant, and being applied on the inner surface of the collar.

On the other hand, Burdick ('354) discloses light fixture 1 (Figure 1) comprising:

- a collar 13 being coated with a corrosion resistant reflective coating – a surface coating 13" (Figure 1, lines 98-101) of natural porcelain enamel is considered here as a corrosion resistant coating -; and
- the coating 13" - natural porcelain enamel- having a reflective finish (Figure 1, lines 98-101), and being applied to the inner surface of the collar (Figure 1, lines 98-101).

Thus, regarding claims 2, 5 and 6, it would be obvious to one of ordinary skill in the art at the time of the invention to modify the light fixture of Benjamin ('399) by providing a collar having its surface coated with enamel as taught by Burdick ('354) for the benefit and advantage of high reflectivity, protection against corrosion degradation and easy surface cleaning.

8. Claims 3, 4, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benjamin (US Patent No. 1,880,399) in view of Burdick (US Patent No. 1,430,354) as applied to claim 2 above, and further in view of Glabrous et al. (US Patent No. 6,361,193 B1).

Regarding claims 3 and 4 each dependent on Claim 2; Claim 19 dependent on Claim 18; and Claim 23 dependent on Claim 22, neither Benjamin ('399) nor Burdick

('354) directly teaches the coating on the collar surface being either a powder coating or a paint coating.

On the other hand, Glabrous et al. ('193 B1) discloses a light fixture including a reflector trim 10 (Figure 1-3) comprising a reflector including its surface coated with high reflectivity powder paint (Figure 1, column 4, lines 54-56 and 60-62)

Thus, regarding claims 3 and 4 dependent on Claim 2; and Claim 19 dependent on Claim 18; and Claim 23 dependent on Claim 22, it be have been obvious to one of ordinary skill in the art at the time of the invention to modify the light fixture of Benjamin ('399) in view of Burdick ('354) by providing a collar having its surface coated with a polyester powder paint as taught by Glabrous et al. ('193 B1) for the benefit and advantage of high durability and easy surface cleaning.

9. Claims 8,10 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benjamin (US Patent No. 1,880,399) in view of Skegin (US Patent No. 5,154,628).

Regarding claims 8 and 10, dependent on claims 1 and Claim 25, dependent on Claim 21, Benjamin ('399) discloses a light fixture including socket for the lamp. However, Benjamin does not teach details of the socket and its internals including a spring.

On the other hand, Skegin ('628) discloses a bayonet- type socket 10 (Figure 1) including a spring 24 closely fitted within its cavity (Figure 1, column 4, lines 49-51).

Thus, regarding claims 8 and 10, dependent on claims 1 and Claim 25, dependent on Claim 21, it would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the light fixture of Benjamin ('399) by providing

bayonet- type holder with a spring as taught by Skegin ('628) for the benefits and advantage of maintaining positive electrical contacts of conducting elements.

10. Claims 9, 13, 14, 20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benjamin (US Patent No. 1,880,399) in view of Forrest (US Patent No. 4,464,707).

Regarding claims 9, 13, 14, dependent on Claim 1; Claim 20 dependent on Claim 18; and Claim 24 dependent on Claim 21, Benjamin ('399) discloses the collar having a seal at the circumferential joint. However, Benjamin ('399) does not teach collar being sealed using either a silicone sealant or an O-ring.

On the other hand, regarding Claims 9, 14, 20 and 24, Forrest ('707) discloses an outdoor light fixture 10 (Figures 2 and 3) including O-ring 141 sealing elements 65 and 139 (Figures 14-16, column 8, lines 33-35).

Thus, regarding claims 9, 14, 20 and 24, it would be have been obvious to one of ordinary skill in the art at the time of the invention to modify collar surface sealing of Benjamin ('399) by providing O-ring as a sealing element as taught by Forrest ('707) for the benefits and advantage of durable and removable sealing from the mechanical and environmental abuses.

Regarding Claim 13, the examiner takes official notice of the facts that use of either silicone sealant for sealing is common practice, and is well known in the art.

11. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benjamin (US Patent No. 1,880,399) in view of Katougi (US Patent No. 6,234,649 B1).

Regarding Claim 15, dependent on Claim 1, Benjamin ('399) does not teach a light fixture having a ground spike coupled to the stem of the fixture.

On the other hand, Katougi ('649 B1) discloses an electric lamp device (Figure 11) comprising a ground spike 12a coupled to the stem 12 (Figure 11, column 18, lines 8 and 9).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify collar surface sealing of Benjamin ('399) by providing a ground spike as a sealing element as taught by Katougi ('649 B1) for the benefits and advantage of removable installation and cost effective relocation of the device.

Response to Amendment

12. Applicant's arguments filed on June 9, 2003 with respect to the 35 U.S.C. 102(b) rejections of claims 1,2,5-7,11,12 and 16-18 and 35 U.S.C. 103(a) rejections of claims 3,4,13,14 and 19 have been fully considered but they are not considered but are moot in view of the new ground(s) of rejections.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cannell (U.S. Patent No. 5,025,358);

Nakanishi (Japanese Patent No. JP 40125310 A)

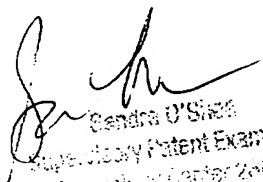
Each of the above-indicated prior arts discloses a lighting apparatus comprising some of the claimed features claimed by the applicant.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 703-306-5909. The examiner can normally be reached on 7:30 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2956.

HSS
December 6, 2003



Sandra O'Shea
Supervisory Patent Examiner
December 6, 2003